

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 4, 2004. Claims 13, 15, 19-21, and 23-26 were pending in the Application and stand rejected. Applicants amend Claims 13, 15, 23 and 24 to clarify the original intent of these claims. Applicants respectfully request reconsideration and favorable action in this case.

Rejections - 35 U.S.C. § 112

The Examiner rejects Claims 23-26 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully submit that the amendments to independent Claims 23 and 24 obviate the § 112 rejections of Claims 23-26. For at least this reason, Applicants respectfully request the Examiner to reconsider and withdraw the § 112 rejections of Claims 23-26.

Rejections - 35 U.S.C. § 103

The Examiner rejects Claims 13, 15, 19-21, and 23-26 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' admitted prior art (AAPA) in view of U.S. Patent No. 6,680,922, which issued to Jorgensen ("*Jorgensen*"). To establish obviousness of a claimed invention under § 103, all claim limitations must be taught or suggested by the prior art. M.P.E.P. § 2143.03.

Applicants' independent Claim 13, as amended, recites:

A multi-protocol packet-based base station, comprising:
a wireless signaling logic unit for handling communications with mobile wireless devices using wireless signals adapted for an internet protocol-based local area network;
a media gateway logic unit adapted to handle communication signals for a media gateway control protocol (MGCP); and
address generation logic for dynamically generating a virtual circuit identity code (VCIC) for linking communication signals between said wireless signaling logic unit and said media gateway logic unit.

Applicants respectfully submit that AAPA and *Jorgensen*, whether taken alone or in combination, fail to teach or suggest every element of this Claim.

Among other aspects of Claim 13, the AAPA-*Jorgensen* combination fails to teach or suggest “address generation logic for dynamically generating a virtual circuit identity code (VCIC) for linking communication signals between said wireless signaling logic unit and said media gateway logic unit.” The Examiner admits that AAPA fails to teach or suggest this element and instead relies upon *Jorgensen*. *Office Action*, page 4. However, the Examiner fails to point to anything in *Jorgensen* as teaching or suggesting the claimed element. The Examiner simply points to *Jorgensen*’s discussion of a wireless base station and a data network and states that *Jorgensen*’s “wireless base station must have address generation logic for generating a virtual circuit identification code so that the traffic can be properly routed to/from ATM virtual circuits and the wireless interface.” *Id.*

Applicants respectfully disagree that *Jorgensen*’s “wireless base station must have address generation logic for [dynamically] generating a virtual circuit identification code.” In general, *Jorgensen* discusses a fixed wireless point to multi-point telecommunications system. *Jorgensen*, Figure 3A and col. 3, lines 43-56. More particularly, *Jorgensen* addresses prioritizing Internet Protocol (IP) data flow in a fixed wireless system. *Id.* at col. 3, lines 57-66. However, a fixed wireless system fails to teach or suggest, inherently or otherwise, “address generation logic for dynamically generating a virtual circuit identity code (VCIC) for linking communication signals between said wireless signaling logic unit and said media gateway logic unit,” particularly when the wireless signaling logic unit handles “communications with mobile wireless devices.”

For at least these reasons, Applicants respectfully request the Examiner to reconsider and withdraw the § 103 rejection of independent Claim 13. For analogous reasons, Applicants respectfully request the Examiner to reconsider and withdraw the § 103 rejections of independent Claims 15, 23, and 24. Furthermore, because Claims 19-21, 25, and 26 each depend from an independent claim shown above to be allowable over AAPA and *Jorgensen*, Applicants respectfully request the Examiner to reconsider and withdraw the § 103 rejections of Claims 19-21, 25, and 26.

Conclusions

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

No fees are believed to be due. However, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
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